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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 FRANCISCO CORNEJO-QUEZADA and
15 RENEE MICHELE HERMANN,
Defendants.

CASE NO. 2:24-CR-0304-TLN

STIPULATION AND JOINT REQUEST FOR
PROTECTIVE ORDER; ~~PROPOSED~~
PROTECTIVE ORDER

I. STIPULATION

19 1. Plaintiff United States of America, by and through its counsel of record, and defendants
20 Francisco Cornejo-Quezada and Renee Michele Hermann, by and through their respective counsel of
21 record (“Defendants” and “Defense Counsel”), for the reasons set forth below, hereby stipulate, agree,
22 and jointly request that the Court enter a Protective Order in this case restricting the use and
23 dissemination of certain materials that could identify undercover agents and/or confidential sources,
24 and/or that contain personal identifying information (“PII”) and other confidential information of real
25 persons.

26 2. This Court may enter protective orders pursuant to Rule 16(d) of the Federal Rules of
27 Criminal Procedure, Local Rule 141.1, and its general supervisory authority.

1 3. On November 14, 2024, the Grand Jury returned an indictment charging Defendants with
2 conspiracy to distribute and to possess with intent to distribute at least 500 grams of a mixture and
3 substance containing methamphetamine, in violation of 21 U.S.C. §§ 846, 841(a)(1) (Count One); and
4 charging certain Defendants as listed in the indictment with distribution of at least 500 grams of a
5 mixture and substance containing methamphetamine, in violation of 21 U.S.C. § 841(a)(1) (Counts Two
6 through Six), and possession with intent to distribute at least 500 grams of a mixture and substance
7 containing methamphetamine, in violation of 21 U.S.C. § 841(a)(1) (Count Seven).

8 4. As part of its investigation in the above-captioned case, the government is in the
9 possession of documents and other materials relating to the charges against the Defendants, and seeks to
10 provide those materials to counsel for the Defendants. The government seeks to do so pursuant to its
11 discovery obligations, although some of the materials may exceed the scope of the government's
12 discovery obligations and will be produced to promote a prompt and just resolution of the case.

13 5. The government intends to produce to Defense Counsel: (1) audio recordings, video
14 recordings, photographs, investigative reports and/or other documents that could identify law
15 enforcement undercover agents and/or confidential sources; and (2) materials containing PII and other
16 confidential information of real persons. These real persons are third parties, co-defendants, and/or
17 witnesses to this case. This discovery will be considered "Protected Material" as described in this
18 stipulation and order, as will any other discovery marked as Protected Material.

19 6. The purpose of this stipulation and order is to establish the procedures that must be
20 followed by Defense Counsel, any designated employees, and any other individual who receives access
21 to any Protected Material in this case and the information therein.

22 7. The Government shall produce the aforementioned Protected Material to Defense
23 Counsel, designating the discovery with the bates prefix, "CORNEJO_PM_." This discovery, and any
24 subsequent material discovered by the Government to Defense Counsel using the bates-prefix, shall be
25 considered Protected Material.

26 8. All Protected Material in this case is now and will forever remain the property of the
27 Government. It is entrusted to Defense Counsel only for purposes of representing his/her Defendant
28 during the pendency of this case.

1 9. Defense Counsel shall not give any Protected Material to any person other than Defense
2 Counsel's staff assisting in preparation of the present case. The term "staff" shall explicitly include only
3 attorneys, paralegals, legal assistants, retained experts, and investigators assisting Defense Counsel in
4 the present matter. The term excludes any other defendant in this matter or any other pending matter
5 against the Defendants; any person involved in any case in which discovery concerning the Defendants
6 is produced; and any other person other than those specifically authorized to see Protected Material
7 under this paragraph.

8 10. Any person receiving access to the Protected Material from Defense Counsel shall be
9 bound by the same obligations as Defense Counsel and, further, may not give any Protected Material to
10 anyone.

11 11. No members of the Defendants' family, friends of the Defendants, personal or
12 professional associates of the Defendants, or any other person affiliated with the Defendants shall be
13 given access to any Protected Material or its contents in any manner, for any reason.

14 12. Defense Counsel may make copies of Protected Material and may take written or typed
15 notes summarizing it in connection with preparation of the case. If necessary to the litigation of the
16 instant matter, Defense Counsel may also have audio or video forms of Protected Material transcribed.
17 All notes, copies, duplicates, summaries, transcripts, or other representations of or concerning the
18 information in the Protected Material comprises "Protected Material" itself, must be affixed with the
19 corresponding bates numbers and the "Protected Material" ledger, and is subject to all terms of this
20 stipulation and order.

21 13. Defense Counsel shall maintain a list of persons to whom any Protected Material is being
22 or has been given. Such persons shall be provided with a copy of the executed version of this stipulation
23 and order, shall sign their full names to a copy, and shall in writing acknowledge that they understand its
24 terms and are bound by it. If Defense Counsel is replaced for any reason, or if new counsel is appointed
25 in any phase of the matter, the new counsel shall not have access to any Protected Material until and
26 unless they sign a copy of this stipulation and order, under the terms described in this paragraph.

27 14. Defense Counsel may use the Protected Material in the defense of Defendant in the
28 instant case in any manner deemed essential to adequately represent him (i.e., in motions that are filed

1 under seal, if necessary; in ex parte applications as may be needed; and in reproducing and summarizing
2 Protected Material for use in trial preparation summaries, exhibits and as evidence, as may be needed),
3 consistent with this stipulation and order as it shall be originally prepared and signed.

4 15. In the event Defense Counsel needs to use any Protected Material in a manner not
5 authorized under this stipulation and order, Defense Counsel is entitled to seek to have this stipulation
6 and order amended by the District Court, after having given notice to counsel for the Government, in a
7 hearing before the District Court, in order to meet the obligations under the Sixth Amendment to the
8 United States Constitution.

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16. Defense Counsel and any authorized members of Defense Counsel's staff are authorized to review with Defendant the contents of the Protected Material. Defense Counsel and authorized members of his/her staff, however, are prohibited from in any way giving Defendants any Protected Material or any memorialization of the content of any of it, such as: any of the Protected Material itself; copies of any of the Protected Material; copies of excerpts of any of the Protected Material; or summaries of any of the Protected Material. This prohibition will not extend to the Defendants viewing the Protected Material in open court should any of these materials or summaries thereof be used in the litigation of this case.

Respectfully Submitted,

Dated: January 3, 2025

PHILLIP A. TALBERT
United States Attorney

By: /s/ EMILY G. SAUVAGEAU
EMILY G. SAUVAGEAU
Assistant United States Attorney

Dated: January 3, 2025

/s/ JOHN MANNING
JOHN MANNING
Counsel for Defendant
Francisco Cornejo Quezada

Dated: January 3, 2025

/s/ MICHAEL LONG
MICHAEL LONG
Counsel for Defendant
Renee Michele Hermann

~~PROPOSED~~ FINDINGS AND ORDER

The Court having read and considered the Stipulation and Joint Request for a Protective Order, which this Court incorporates by reference into this Order in full, hereby finds that GOOD CAUSE exists to enter the above Order.

IT IS SO FOUND AND ORDERED this 3rd day of January, 2025.

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THE HONORABLE CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE